

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LORRAINE DURST,
Plaintiff,

v.

NANCY A. BERRYHILL¹
Acting Commissioner of Social Security
Defendant.

CIVIL ACTION

NO. 2:16-3764

FILED

APR 16 2018

By KATE BARKMAN, Clerk
Dep. Clerk

ORDER

AND NOW, this 16th day of April, 2018, upon independent review of the brief in support of review filed by Plaintiff, Defendant's response thereto thereto, and Plaintiff's reply thereto (Doc. Nos. 11, 12 and 15), and the administrative record, and after careful consideration of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED and ADOPTED**;
2. The final decision of the Commissioner denying disability benefits to Plaintiff is **VACATED**; and
3. The matter is **REMANDED** to the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g) for further proceedings consistent with the Magistrate Judge's Report

BY THE COURT:



Gerald A. McHugh, Jr. J.

¹ Nancy A. Berryhill became the Acting Commissioner of Social Security on January 23, 2017. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Berryhill should be substituted for the former Acting Commissioner, Carolyn Colvin, as the defendant in this action. Plaintiff need not take any further action to continue this suit. 42 U.S.C. § 405(g) (last sentence).